

I hereby certify that this correspondence is being facsimile
transmitted to the United States Patent and Trademark Office,
Fax No. 1-571-273-0025 on April 4, 2006

PATENT
Docket No.: 022038-000200US

TOWNSEND and TOWNSEND and CREW LLP

By: 

Pamela Skelton

FAX RECEIVED

APR 04 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICE OF PETITIONS

In re application of:

Eric Linn, et al.

Patent No.:

Issued:

Application No.: 10/774,310

Filed: February 6, 2004

For: SPRING ASSIST KNIFE

Examiner: PAYER, Hwei Siu Chou

Art Unit: 3724

PETITION FOR WITHDRAWAL FROM
ISSUE UNDER 37 CFR 1.313(c)

Mail Stop: 1.313(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.313(c)(2), Applicants hereby petition for the withdrawal of the above-referenced application from issue. The issue fee for this application was paid on January 27, 2006; the actual date for issuance of the patent is not known.

This request for withdrawal from issue is being filed in order to submit a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 to permit consideration of a Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97. The RCE is being filed concurrently.

Authorization is hereby given to charge the undersigned's Deposit Account No. 20-1430 for any requisite fees associated with this petition.

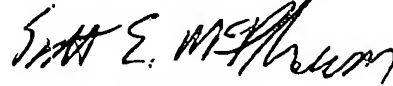
04/06/2006 CKHLOK 00000003 201430 10774310

01 FC:1464 130.00 DA

Eric Linn, et al.
Application No.: 10/774,310
Page 2

PATENT

Respectfully submitted,



Scott E. McPherson
Reg. No. 53,307

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (858) 350-6143
Fax: (858) 350-6111
SEM/ps

60740848 v1

**Duplicate
For Fee Processing**

PTO/SB/17p (11-05)

PETITION FEE Under 37 CFR 1.17(f), (g) & (h) TRANSMITTAL (Fees are subject to annual revision) Send completed form to: Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450	Application Number	10/774,310	FAX RECEIVED
	Filing Date	February 6, 2004	
	First Named Inventor	Eric Linn, et al.	APR 04 2006
	Art Unit	3724	OFFICE OF PETITIONS
	Examiner Name	PAYER, Hwei Siu Chou	
	Attorney Docket Number	022038-000200US	

Enclosed is a petition filed under 37 CFR 1.313(c) that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)

- ☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 20-1430 :
☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments
 Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

- § 1.36(a) - for revocation of a power of attorney by fewer than all applicants.
- § 1.53(e) - to accord a filing date.
- § 1.57(a) - to accord a filing date.
- § 1.182 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 - for review of refusal to publish a statutory invention registration.
- § 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) - for patent owner requests for extension of time in ex parte reexamination proceedings.
- § 1.868 - for patent owner requests for extension of time in inter partes reexamination proceedings.
- § 5.12 - for expedited handling of a foreign filing license.
- § 5.16 - for changing the scope of a license.
- § 5.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

- § 1.19(g) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.91 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.138(c) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.

Scott E. McPherson
 Signature

Scott E. McPherson
 Typed or printed name

April 4, 2006
 Date

53,307
 Registration No., if applicable

Atty Docket No. 022038-000200US

PTO FAX NO.: 1-571-273-0025

ATTENTION: Office of Petitions
RE: Serial No. 10/774,310 assigned to GAU 3724

FAX RECEIVED

APR 04 2006

OFFICE OF PETITIONS

OFFICIAL COMMUNICATION
TO OFFICE OF PETITIONS

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following documents in re Application of Eric P. Linn, et al., Application No. 10/774,310, filed February 6, 2004 for SPRING ASSIST KNIFE are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Documents Attached

1. **Petition For Withdrawal From Issue Under 37 CFR 1.313(c)** (2 pgs.)
2. **Petition Fee Transmittal** (1 pg., 1 dup.)
3. **Request For Continued Examination (RCE) Transmittal** (1 pg., 1 dup.)
4. **Second Supplemental Information Disclosure Statement** (3 pgs.)

Number of pages being transmitted, including this page: 10

Dated: April 4, 2006


Pamela Skelton

**PLEASE CONFIRM RECEIPT OF THIS PAPER BY
RETURN FACSIMILE AT (415) 576-0300**

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, CA 94111-3834
Telephone: 858-350-6100
Fax: 858-350-6111
432

60740948 v1